

# ELLIS:LAWHORNE

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November 1, 2007

## **FILED ELECTRONICALLY AND ORIGINAL VIA 1<sup>st</sup> CLASS MAIL SERVICE**

The Honorable Charles L.A. Terreni  
Chief Clerk  
**South Carolina Public Service Commission**  
Post Office Drawer 11649  
Columbia, South Carolina 29211

RE: Application of Bandwidth.com CLEC, LLC to Provide Resold Interexchange  
and Local Exchange Telecommunications Services throughout South Carolina

**Docket No. 2007-385-C, ELS File No. 1375-11557**

Dear Mr. Terreni:

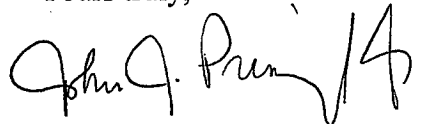
Enclosed is the original and one (1) copy of Applicant's Application and Certificate of Authorization to Transact Business in South Carolina attached as **Exhibit 2** to the Application in the above referenced docket.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Yours truly,



John J. Pringle, Jr.

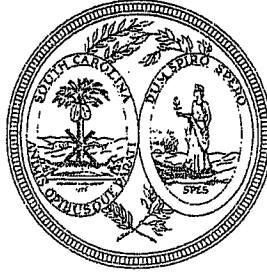
JJP/cr

enclosures

cc: Office of Regulatory Staff Legal Department  
Mr. Kade Ross  
Danielle C. Burt, Esquire

**THIS DOCUMENT IS AN EXACT DUPLICATE OF THE E-FILED COPY SUBMITTED TO THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING INSTRUCTIONS.**

# *The State of South Carolina*



*Office of Secretary of State Mark Hammond*

## **Certificate of Authorization**

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

BANDWIDTH.COM CLEC, LLC, A Limited Liability Company duly organized under the laws of the State of DELAWARE, and issued a certificate of authority to transact business in South Carolina on October 26th, 2007, with a duration that is at will, has as of this date filed all reports due this office, including its most recent annual report as required by section 33-44-211, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the company that it is subject to being dissolved by administrative action pursuant to section 33-44-809 of the South Carolina Code, and that the company has not filed a certificate of cancellation as of the date hereof.

Given under my Hand and the Great  
Seal of the State of South Carolina this  
29th day of October, 2007.

A handwritten signature in cursive script that reads "Mark Hammond".  
Mark Hammond, Secretary of State

STATE OF SOUTH CAROLINA  
SECRETARY OF STATE

CERTIFIED TO BE A TRUE AND CORRECT COPY  
AS TAKEN FROM AND COMPARED WITH THE  
ORIGINAL ON FILE IN THIS OFFICE

APPLICATION FOR A CERTIFICATE OF AUTHORITY  
BY A FOREIGN LIMITED LIABILITY COMPANY  
TO TRANSACT BUSINESS IN SOUTH CAROLINA

OCT 26 2007

*[Signature]*  
SECRETARY OF STATE OF SOUTH CAROLINA

TYPE OR PRINT CLEARLY WITH BLACK INK

The following Foreign Limited Liability Company applies for a Certificate of Authority to Transact Business in South Carolina in accordance with Section 33-44-1002 of the 1976 South Carolina Code of Laws, as amended.

1. The name of the foreign limited liability which complies with Section 33-44-1005 of the 1976 South Carolina Code as amended is Bandwidth.com CLEC, LLC

2. The name of the State or Country under whose law the company is organized is Delaware

3. The street address of the Limited Liability Company's principal office is

4001 Weston Parkway, Suite 100

	Street Address	
<u>Cary</u>	<u>NC</u>	<u>27513</u>
City	State	Zip Code

4. The address of the Limited Liability Company's current designated office in South Carolina is

5000 Thurmond Mall Boulevard

	Street Address	
<u>Columbia, SC</u>	<u>29201</u>	
City	State	Zip Code

5. The street address of the Limited Liability Company's initial agent for service of process in South Carolina is

5000 Thurmond Mall Boulevard

	Street Address	
<u>Columbia,</u>	<u>SC</u>	<u>29201</u>
City	State	Zip Code

and the name of the Limited Liability Company's agent for service of process at the address is

Corporation Service Company

Name

*[Signature]*  
Signature

6. ☐ Check this box if the duration of the company is for a specified term and if so the period specified

071029-0048

BANDWIDTH.COM CLEC, LLC

FILED: 10/26/2007

Filing Fee: \$110.00 ORIG



Mark Hammond

South Carolina Secretary of State

7. ☐ Check this box if the company is manager-managed. If so, list the names and business addresses of each manager

a.

Name

Business Address

City

State

Zip Code

b.

Name

Business Address

City

State

Zip Code

8. ☐ Check this box if one or more members of the foreign limited liability company are to be liable for the company's debt and obligation under a provision similar to Section 33-44-303(c) of the 1976 South Carolina Code of Laws, as amended.

Date 20 October 2007

Signature

David Morken, President of Member

Name

Capacity

**FILING INSTRUCTIONS:**

1. This application must be accompanied by an original certificate of existence not more than 30 days old (or a record of similar import) authenticated by the Secretary of State or other official having custody of the Limited Liability Company records in the state or country under which it is organized.
2. File two copies of these articles, the original and either a duplicate original or a conformed copy.
3. If management of a limited liability company is vested in managers, a manager shall execute this form. If management of a limited liability company is reserved to the members, a member shall execute this form. Specify whether a member or manager is executing this form.
4. This form must be accompanied by the filing fee of \$110.00 payable to the Secretary of State.

Return to: Secretary of State  
P.O. Box 11350  
Columbia, SC 29211

# Delaware

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## *The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "BANDWIDTH.COM CLEC, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-FOURTH DAY OF OCTOBER, A.D. 2007.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "BANDWIDTH.COM CLEC, LLC" WAS FORMED ON THE NINTH DAY OF JANUARY, A.D. 2007.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.



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*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6099577

DATE: 10-24-07